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James Kizer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

RING

For: METHOD OF PROMOTING AN
IMMUNE RESPONSE WITH A
BISPECIFIC ANTIBODY

Serial No.: 08/349,489

Filed: December 2, 1994

Atty. Dkt No.: PP00999.104
(CHIR-999/00US)

) Examiner: A. Holleran

) Group Art Unit: 1642

) Confirmation No.: 6479

) RESPONSE AFTER FINAL

37/NE
4-10-03

BOX AF
Commissioner for Patents
Washington, D.C. 20231

Sir:

This paper is responsive to the Final Office Action mailed December 18, 2002 for which a response is initially due on or before March 18, 2003. Accordingly, this response is timely filed. Reconsideration of the application is requested in view of the following remarks.

REMARKS

Claims 1-3, 8 and 15 are presently pending in this application and stand variously rejected under 35 U.S.C. §§ 103 and 112, first paragraph.

Rejections Under 35 U.S.C. § 112, First Paragraph, Enablement

Claims 1-3, 8 and 15 remain rejected under 35 U.S.C. § 112, first paragraph as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to use the claimed invention. (Office Action, paragraph 5).

For the reasons of record, Applicant submits that the Office has failed to establish a *prima facie* case of non-enablement. As previously discussed, enablement is a fact-dependent inquiry that can be facilitated by using the standards articulated in *In re Wands*. Indeed, the